



Legislation Text

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Int. No. 662

By Council Members Rose and Yeger

A Local Law to amend the administrative code of the city of New York, in relation to requiring a minimum curb height before planting new trees in front of residential properties

Be it enacted by the Council as follows:

Section 1. Section 18-106 of the administrative code of the city of New York is amended to read as follows:

§ 18-106. Tree planting; permission of commissioner of transportation.

a. In performing the duties required by sections 18-104 and 18-105 [of this title], the commissioner shall not make openings or excavations in any street for the purpose of planting or cultivating trees, without having first obtained the written approval of the commissioner of transportation nor shall any tree be so planted as to permanently interfere with the ordinary usage of the street, nor shall the planting be performed in any case so as to injure or impair any sewer, drain, water pipe, or other structure erected by legal authority.

b. The commissioner may not plant any tree adjacent to a curb unless the commissioner has received a written confirmation from the department of transportation that the curb meets an appropriate minimum curb height, to be determined by the commissioner of transportation.

§ 2. Section 19-147 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Whenever any tree is planted adjacent to a curb, the curb must meet an appropriate minimum height, to be determined by the commissioner by rule. The department may create exceptions for bioswales or where necessary. The department shall ensure that appropriate curb heights are maintained whenever the department

of parks and recreation takes up and restores any pavement, sidewalk, curb or gutter in any street for the planting of new trees.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

BM  
LS # 5066  
2/9/18; 12:24 p.m.